

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

In the Matter of	)	
	)	
ASIA SYNCHRONOUS, INC.	)	File No. _____
	)	
Application for Authority	)	
pursuant to Section 214 of the	)	
Communications Act of 1934,	)	
as amended, for Global Authority	)	
for the Provision of Resold and	)	
Facilities-Based International	)	
Switches and Private Line Services	)	
Between the United States and	)	
Various International Points	)	

**Application**

Asia Synchronous, Inc. ("ASI"), by its attorneys and pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. Section 214, 47 U.S.C. § 214, hereby requests global authority to (1) operate as a facilities-based carrier pursuant to the terms and conditions of Section 63.18(e)(1) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), to all foreign points as authorized by the Commission, and (2) operate as a resale carrier pursuant to the terms and conditions of Section 63.18(e)(2) of the Commission's rules to all foreign points as authorized by the Commission, 47 C.F.R. § 63.18(e)(2). ASI has no affiliation with any foreign carrier in any of the destination countries for which authority is requested nor is ASI affiliated with any dominant U.S. carrier whose services ASI may resell. Thus, pursuant to Section 63.10(a)(1) of the Commission's rules, 47 C.F.R. § 63.10(a)(1), ASI should be classified as a non-dominant carrier in its provision of international

service to all routes. Furthermore, as explained herein, this Application is entitled to streamlined processing under Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12. According to the Commission's Fee Schedule, Fee Code CUT, a payment in the amount of \$815 accompanies this filing.

By granting this application, the Commission will serve the public interest, convenience and necessity by promoting competition in the international services market. Competition will benefit U.S. consumers by increasing service options and lowering prices. Thus, the public interest will be served by the grant of Section 214 authority to ASI.

#### **Section 63.18 Information**

The following information is submitted, as required by Section 63.18 of the Commission's Rules, in support of ASI's request for authorization.

(a) Name and address of Applicant:

Asia Synchronous, Inc.  
Waterfront Plaza 7-400  
500 Ala Moana Boulevard  
Honolulu, Hawaii 96813  
Telephone: 808-222-9344  
Fax: 808-524-3030

(b) ASI is a corporation organized under the laws of the State of Delaware.

(c) Correspondence concerning this application should be sent to:

Brian Smith, Chief Operating Officer  
Asia Synchronous, Inc.  
c/o Omni Financial Services  
Waterfront Plaza 7-400  
500 Ala Moana Boulevard  
Honolulu, Hawaii 96813  
Telephone: 808-222-9344  
Fax: 808-524-3030

with a copy to:

Eric Fishman, Esq.  
Holland and Knight LLP  
2099 Pennsylvania Avenue, NW  
Washington, DC 20006  
tel: (202) 828-1849  
fax: (202) 419-2736  
e-mail: [efishman@hklaw.com](mailto:efishman@hklaw.com)

- (d) ASI has not received authority previously under Section 214 of the Communications Act, as amended. By grant of this Application, ASI would become a nondominant international carrier for the provision of interexchange service, subject to Section 214 of the Act.
- (e) ASI requests global facilities-based and resale Section 214 authority pursuant to the terms and conditions of Section 63.18(e)(1) and (e)(2) of the Commission's Rules. Applicant further proposes to resell international private lines for the provision of international switched services between the United States and those countries where the Commission has permitted the provision of such service. Applicant will comply with all of the terms and conditions set forth in Section 63.21, 63.22 and 63.23 of the Commission's rules, 47 C.F.R. §§ 63.21, 63.22 and 63.23.
- (f) At this time, ASI seeks no other authorization available under Section 63.18(e).
- (g) ASI will use previously authorized facilities to provide the services requested by this Application. Consequently, ASI is categorically excluded from environmental assessment pursuant to section 1.1306 of the Commission's rules, 47 C.F.R. § 1.1306.

- (h) The shareholders of ASI are Isamu Takahashi, Toshiaki Otsubo and Brian Smith, who respectively own 80%, 10% and 10% of the corporation's stock. Mr. Takahashi and Mr. Otsubo are both Japanese nationals. Mr. Smith is a U.S. citizen. The principal business of these individuals is the provision of telecommunications services. Their business address is the same as the Company – Waterfront Plaza 7-400, 500 Ala Moana Boulevard, Honolulu, Hawaii 96813. See attached Certification.
- (i) As evidenced by the certification attached hereto as Attachment A, ASI is not affiliated with a foreign carrier.
- (j) As evidenced by the certification attached hereto as Attachment A, ASI does not seek to provide international telecommunications service to any destination where (1) ASI is a foreign carrier in that country; (2) ASI controls a foreign carrier in that country; (3) any entity that owns more than a 25% interest in ASI, or controls ASI, controls a foreign carrier in that country; or (4) two or more carriers own, in the aggregate, more than 25% of ASI and are parties to, or beneficiaries of, a contractual relationship that affects the provisioning or marketing of international basic telecommunications services in the United States..
- (k) Not applicable. ASI is not affiliated or otherwise related to any foreign carrier on any routes which ASI proposes to provide service in this Application.
- (l) Not applicable. ASI is not a foreign carrier and is not affiliated with a foreign carrier on any of the routes it proposes to resell international telecommunications service.

- (m) Not applicable. ASI is not affiliated with any foreign carrier on any of the routes it proposes to provide services.
- (n) As evidenced by the certification provided in Attachment A, ASI has not agreed to accept special concessions directly or indirectly from any foreign carrier with respect to any U.S. international route the foreign carrier possesses sufficient market power on the foreign end of the route to affect competition adversely in the United States market, and will not enter into such agreements in the future.
- (o) As evidenced by the certification provided in Attachment A, no party to this Application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Act of 1988.
- (p) ASI respectfully requests streamlined processing for the instant application pursuant to Section 63.12 of the Commission's Rules. This Application qualifies for streamlined processing for the following reasons: (1) ASI is not affiliated with a foreign carrier on any route for which authority is sought; (2) ASI is not affiliated with any dominant U.S. carrier whose international switched or private line services it seeks to resell; and (3) ASI is not requesting authority to provide switched service over private lines to countries not previously authorized for service by the Commission.

## **Conclusion**

In conclusion, ASI certifies that all of the information in this application is accurate and correct. For these reasons, ASI respectfully requests that the Commission grant this application for authority to provide international telecommunications services on a facilities and resale basis pursuant to Section 214 of the Communications Act, as amended.

Respectfully submitted,

ASIA SYNCHRONOUS, INC.

By: /S/\_\_\_\_\_  
Brian Smith, Chief Operating Officer  
Asia Synchronous, Inc.  
Waterfront Plaza 7-400  
500 Ala Moana Boulevard  
Honolulu, Hawaii 96813  
Telephone: 808-222-9344  
Fax: 808-524-3030

August 9, 2002

## **CERTIFICATION**

The undersigned hereby certifies, on behalf of Asia Synchronous, Inc. ("ASI") with respect to the foregoing application for authority to provide international services that:

A. ASI is not affiliated with any foreign carrier in any of the countries to which ASI proposes to provide service in the foregoing application.

B. ASI will comply with the terms and conditions contained in Sections 63.21, 63.22 and 63.23 of the Commission's rules, 47 C.F.R. §§ 63.21, 63.22 and 63.23.

C. ASI does not seek to provide international telecommunications service to any destination where (1) ASI is a foreign carrier in that country; (2) ASI controls a foreign carrier in that country; (3) any entity that owns more than a 25% interest in ASI, or controls ASI, controls a foreign carrier in that country; or (4) two or more carriers own, in the aggregate, more than 25% of ASI and are parties to, or the beneficiaries of, a contractual relationship that affects the provisioning or marketing of international basic telecommunications services in the United States.

D. ASI has not agreed to accept special concessions directly or indirectly from any foreign carrier with respect to any U.S. international route where the foreign carrier possesses sufficient market power on the foreign end of the route to affect competition adversely in the United States market and will not enter into such agreements in the future.

E. No party to this Application is subject to a denial for Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853(a).

F. Applicant is a corporation organized under the laws of the State of Delaware. Its sole shareholders are Isamu Takahashi, Toshiaki Otsubo and Brian Smith, who respectively own 80%, 10% and 10% of the corporation's stock. Mr. Takahashi, a Japanese national, is the company's President, Chief Executive Officer and Director. Mr. Otsubo, a Japanese national, is the company's Chief Information Officer and Director. Mr. Smith, a U.S. citizen, is the company's Chief Operating Officer and Director. The principal business of these individuals is the provision of telecommunications services. The other officers and directors of the Company are: Yoshitaka Komazaki, a Japanese national (Vice President and Director); and Dorteline Normil, a U.S. citizen (Secretary, Treasurer and Director). Their business address is the same as the Company – Waterfront Plaza 7-400, 500 Ala Moana Boulevard, Honolulu, Hawaii 96813.

G. Applicant has no interlocking directorates with any foreign carriers.

The undersigned respectfully certifies under penalty of perjury that he has read the foregoing application and that the statements contained therein, and in this certification, are true and correct.

By: /S/\_\_\_\_\_  
Brian Smith, Chief Operating Officer  
Asia Synchronous, Inc.  
Waterfront Plaza 7-400  
500 Ala Moana Boulevard  
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